

REMARKS

The present Response is responsive to the non-final Office Action mailed October 10, 2007. Claims 76 - 109 remain pending. No claim amendments have been presented. Reconsideration and allowance of the application is respectfully requested.

Claim Rejections Under 35 U.S.C. § 102(b)

In the non-final Office Action, Claims 76-109 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,220,501 to Lawlor et al. ("Lawlor"). Applicants respectfully submit that Lawlor does not teach or suggest all of the features of independent Claims 76, 86, 96, and 103. Indeed, the bill payment system of Lawlor does not teach or suggest at least the features of "receiving, at the service provider from the biller, bill information..." or "automatically directing payment of the bill by the service provider...based upon the received bill information and the payment directive...." Further, Lawlor also does not teach or suggest "receiving, at a service provider from a consumer, a notification directive associated with a bill presentment option," as similarly recited in independent Claims 76, 86, 96, and 103. (emphasis in underlining).

Applicants respectfully submit that Lawlor discloses a pure bill payment system in which customers can schedule payments. However, the bill payment system makes no disclosure or suggestion of a service provider receiving bill information from a biller, as recited in independent Claims 76, 86, 96, and 103. For example, FIG. 2 of Lawlor, which the Office Action specifically alleges discloses this feature, is a "block diagram of revenue sources provided to the operator of the FIG. 1 system." (Lawlor, Col. 17, lines 20-21). Likewise, in describing FIG. 2, the specification of Lawlor discloses that the "user's payees similarly may pay a nominal charge for electronic payments and consolidated payments." However, Applicants respectfully submit that there is no disclosure in FIG. 2 or in any other portion of Lawlor that teaches or suggests a service provider receiving bill information from a biller, as recited in independent Claims 76, 86, 96, and 103.

Because there is no service provider in Lawlor that receives bill information from a biller, Lawlor would likewise not disclose or suggest "automatically directing payment of the bill by

the service provider...based upon the received bill information...,” as recited by independent Claims 76, 86, 96, and 103. The Office Action alleges that the recurring / periodic payments, as partially described in FIG. 16A of Lawlor, would disclose such a feature. (Office Action, page 3). However, Applicants respectfully submit that the recurring / periodic payments in Lawlor are based only upon information provided by the user, and not “based upon the received bill information,” as recited by independent Claims 76, 86, 96, and 103. In particular, in setting up a recurring / periodic payment, Lawlor requests that the user provide, among other information, the start date (e.g., month, day, and year) for the periodic bill payment (col. 45, lines 19-20), the payment frequency (e.g., weekly, semi-monthly, monthly) (col. 44, line 52-53; col. 45, lines 60-61; and col. 46, lines 8-9), and the payment amount (col. 44, lines 9-10; see also col. 11, lines 19-20 (referring to “fixed, recurring payments”)). Thus, the recurring / periodic payments in Lawlor are based upon information provided by the user, and not automatically directed based upon the received bill information and the payment directive, as recited in independent Claims 76, 86, 96, and 103.

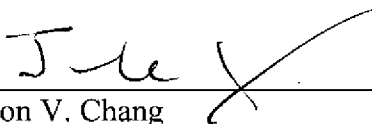
Likewise, as there is no service provider in Lawlor that receives bill information from a biller, there is also no service provider that would receive, from a consumer, a notification directive associated with a bill presentment option,” as similarly recited in independent Claims 76, 86, 96, and 103. Indeed, as a service provider in Lawlor could not provide any bill presentment, the service provider would have no need for the claimed notification directive associated with a bill presentment option. Based upon the foregoing, Applicants respectfully submit Lawlor does not teach or suggest all of the features of independent Claims 76, 86, 96, and 103. Accordingly, Applicants request that the rejection based upon Lawlor be withdrawn. All of the dependent claims are likewise allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

Applicant: Kitchen, et al.
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CONCLUSION

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,



Jason V. Chang
Attorney for Applicants
Registration No. 58,092

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SUTHERLAND ASBILL & BRENNAN, LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
(404) 853-8000
(404) 853-8806 (fax)
SAB Docket No.: 23952-0032